IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

MONDAY, THE 26TH NOVEMBER 2007 / 5TH AGRAHAYANA 1929

WP(C).No. 24040 of 2004(J)

PETITIONER:

K.V.MOHANAN, KUZHYANVELLY HOUSE,]
OKKAL P.O. KALADY.

BY ADV. SRI.V.V.JOSHI

RESPONDENTS:

1. **THE KERALA STATE ELECTRICITY BOARD,**
   REP. BY ITS SECRETARY, PATTOM,
   THIRUVANANTHAPURAM.

2. **THE ASSISTANT EXECUTIVE ENGINEER,**
   K.S.E.B. PERUMBAVOOR.

3. **THE EXECUTIVE ENGINEER,**
   K.S.E.B. PERUMBAVOOR.

4. **THE DEPUTY CHIEF ENGINEER,**
   K.S.E.B. PERUMBAVOOR.

5. **THE DEPUTY TAHSILDAR,**
   REVENUE RECOVERY, TALUK OFFICE,
   KUNNATHUNADU, PERUMBAVOOR.

BY ADV. SRI.N.N.SUGUNAPALAN - SC, KSEB

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 26/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 24040/2004

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE LETTER ISSUED BY THE R3 TO THE PETITIONER DT. 24/2/2003.

EXT.P2. COPY OF THE LETTER ISSUED BY THE R2 DT. 26/3/04 TO THE PETITIONER.

EXT.P3. COPY OF THE REPRESENTATION APPEAL SUBMITTED BY THE PETITIONER TO THE RESPONDENTS DT. 20/7/04.

EXT.P4. COPY OF THE RR NOTICE ISSUED BY THE R5 TO THE PETITIONER DT. 23/07/04.

RESPONDENT'S EXHIBITS **NIL.**

True copy

KURIAN JOSEPH J.

Writ Petition (Civil) No.24040 of 2004

Dated 26th November, 2007.

J U D G M E N T

Petitioner approached this court aggrieved by the recovery steps taken as per Ext.P4. The grievance is that Ext.P3 appeal was pending before the 4th respondent. Learned counsel appearing for the Board submits that the appeal was rejected. But apparently no notice was given to the petitioner. There will be a direction to the 4th respondent to consider Ext.P3 appeal on merits with notice to the petitioner and pass appropriate orders thereon in accordance with law. Only after orders are passed as above and communicated to the petitioner, there shall be recovery, if any.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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